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## Legislation on Transplants Should Begin With Specifics

THE DRAMATIC experiments in heart transplantation are only one episode in the application of new biomedical techniques to human problems. It is perhaps regrettable that public interest has such an all-or-none character. For a few days, the fate of the heart patients will dominate the headlines and then be forgotten while the hard work of research on heart physiology and graft rejection goes on.

These attempts at transplantation are experiments that must be done even at the great risk they entail at this time. The attempts have been performed by surgeons well trained and equipped to analyze their patients' responses and to further our knowledge of the conditions under which the heart can be transplanted and effectively function.

It will necessarily be some time before heart transplantation can be justified as a lifesaving measure in its own right. We should stand ready to condemn any trials that do not advance the research frontier, that are motivated by the momentary public attention they elicit.

THE SURGICAL procedures for transplanting hearts have been practiced for some time in animals. It is then no coincidence that several surgeons have almost simultaneously started such experiments with human subjects. The main hindrance was the uncertainty of public reaction to such trials.

While Dr. Barnard's first case had an unfortunate outcome, the depth of news coverage undoubtedly contributed to a wide public understanding of the Washkansky case and its hazards and helped to give other responsible investigators the confidence to proceed.

The episode has also awakened legislators to uncertainties and ambiguities of existing law relating to organ transplants. This subject is mainly under the jurisdiction of the states and

consistency among them is obviously essential. There must also be national concern about interstate movements of organs for transplant (whether still implanted in a person or in a portable tissue bank), to operations on Federal territory and in the armed services and to the involvement of foreign nationals.

Sen. Walter F. Mondale (D. Minn.) has proposed the establishment of a National Commission on the Ethical and Social Implications of Health Science Research and Development. It would "study the meaning of health science research and development for this nation and the world, explore its moral and ethical implications and formulate ethical guidelines for its application and make recommendations to the President and the Congress for actions to assure that our social policies reflect and influence our technological advances."

THIS PERCEPTION of the importance of biological discovery for human welfare is utterly commendable. My criticisms of the proposal have to do only with its huge scope.

The issues mentioned by Sen. Mondale touch upon every aspect of national action: foreign aid, the Asian war, our urban and racial conflicts, education, specific issues of medical care — in effect, everything from birth to death. What commission could give a conclusive report on so many contentious issues?

Congress is itself the most representative body for such a function. It should of course demand expert advice on specific, pressing questions within its legislative competence. On the other hand, we may doubt whether a creation of Congress should be dignified with the task of setting moral and ethical prescriptions as distinguished from legal ones. For example, how would it deal with abortion and contraception as moral issues?

Instead of tackling so many issues at once, why not concentrate on the one most immediately at hand and investigate what Federal legislation might lead to the most orderly development of a rational, socially fruitful use of organ transplantation? The conventional mechanism of House and Senate committee hearings might serve just as well as a special commission to attract public interest and present a variety of sometimes irreconcilable viewpoints.

Meanwhile, Sen. Mondale's broader proposal deserves careful consideration for a frame of reference from which to plan further advances.

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